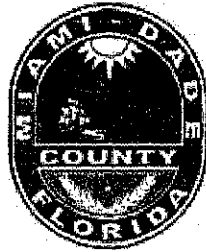


Miami Dade County

Stephen P. Clark Government Center
111 N.W. 1st Street
Miami, Fl. 33128

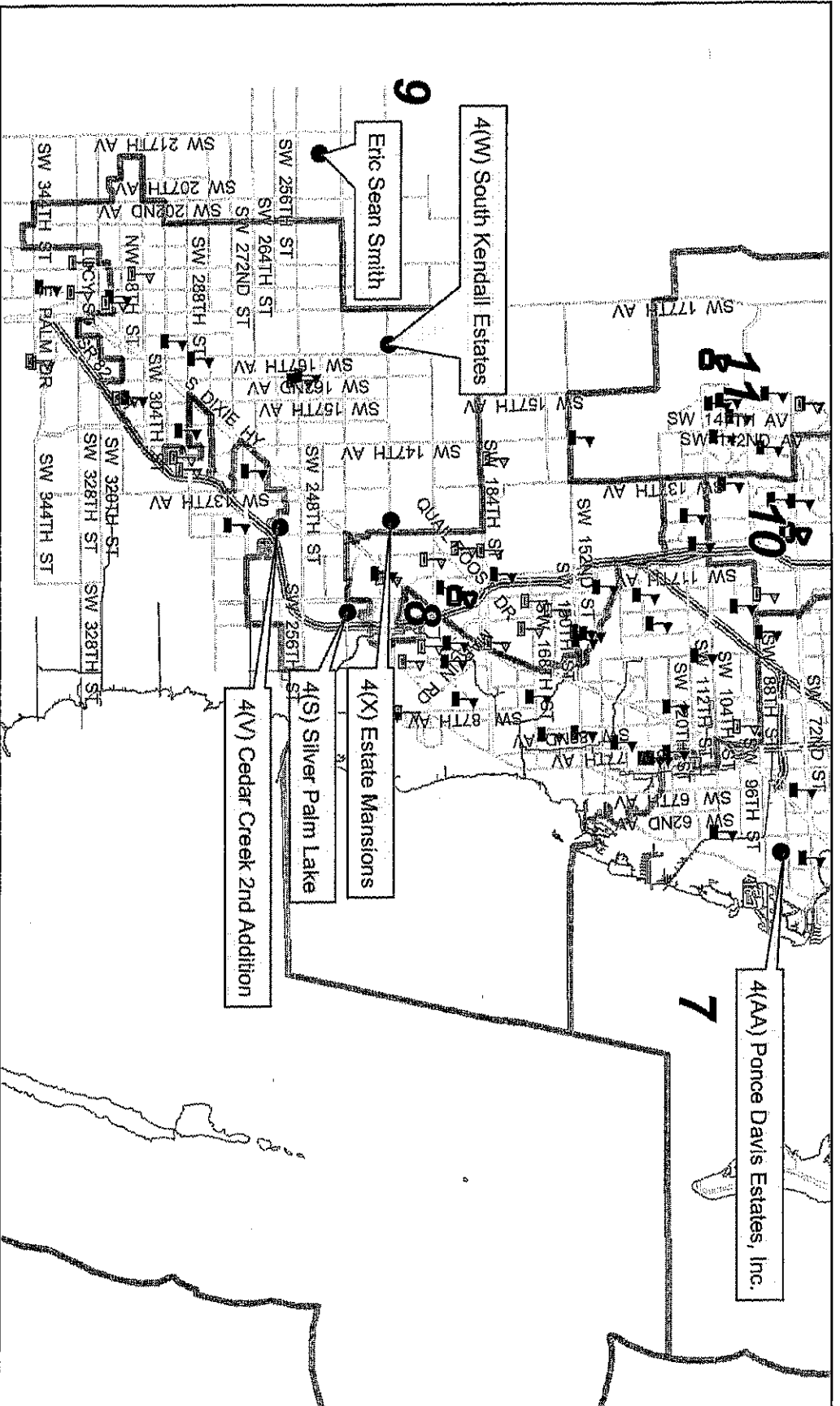


LEGISLATIVE ANALYSIS

Tuesday, February 17th, 2004
9:30 AM
Commission Chambers

Board of County Commissioners

Plats for BCC Approval February 17, 2004 (Miami-Dade County--South of Sunset Drive)

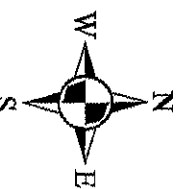


Percent Assigned Program Capacity (As of Oct 01)

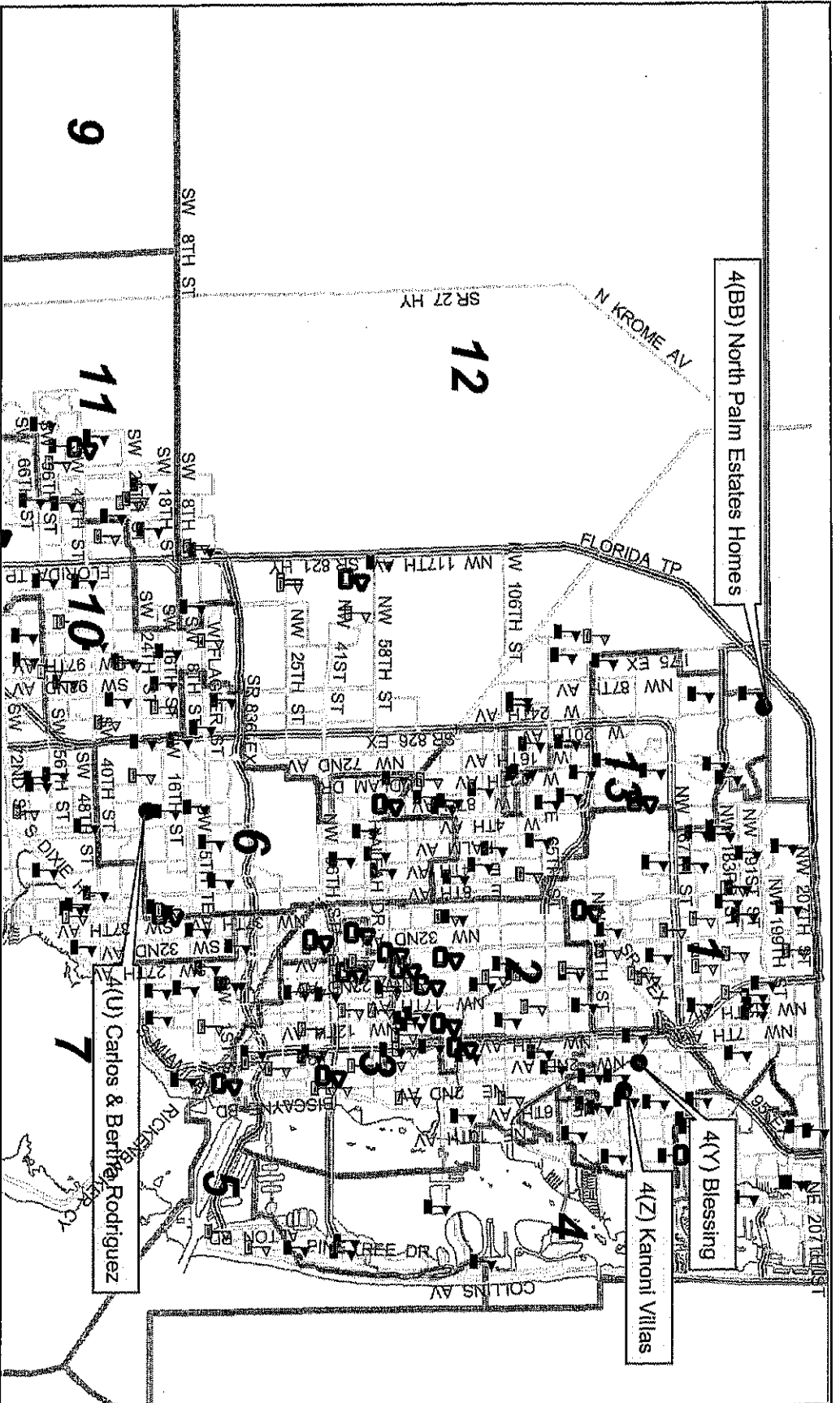
- Under Capacity (Less than 90%)
- At Capacity (90% - 110%)
- Over Capacity (More than 110%)



Board of County Commissioners
Office of Legislative Analysis



Plats for BCC Approval February 17, 2004 (Miami-Dade County--North of Sunset Drive)

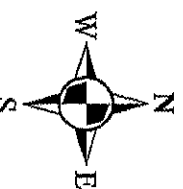


Percent Assigned Program Capacity (As of Oct 01)

- Under Capacity (Less than 90%)
- At Capacity (90% - 110%)
- Over Capacity (More than 110%)



Board of County Commissioners
Office of Legislative Analysis



LEGISLATIVE ANALYSIS AND ECONOMIC IMPACT STATEMENT

ORDINANCE PERTAINING TO MINIMUM MAINTENANCE STANDARDS FOR PROPERTY IN THE UNINCORPORATED AREAS OF MIAMI-DADE COUNTY; MODIFYING CHAPTER 19 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA (THE "CODE"); AMENDING SECTIONS 19-3, 19-8, 19-12, 19-13, 19-15.3, 19-15.5, 19-15.12 OF THE CODE; PROVIDING AUTHORITY FOR ENFORCEMENT BY CIVIL PENALTY; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

Senator Javier Soto
Dennis C. Moss

I. SUMMARY

This item proposes changes to the Code of Miami Dade County as it relates to maintenance standards in UMSA. The changes are as follows;

Code	Current code	Proposed change	Analysis
19-3 (A) (5)	The length of time the property has remained in its present location	Evidence that it has not moved within 72 hours, including evidence that one or more tire have been raised on jacks/blocks	More detail in what suffices for evidence the property has been abandoned.
19-3 (AA)	Adding additional language	Adds definition for advertising device	There is a proposed change in 19-15.2
19-8 (A)	Adding additional language	Adds junk definition as in 19.3(j)	House cleaning in nature
19-8 (c)	Adding additional language	Adds Vehicle covers in items listed as concealing junk	Would remove the ability to hide a vehicle considered junk under a car cover to avoid the code provisions
19-11	Adding additional language	Adds language "or the permit lapse"	Requires removal of items if permit lapse
19-12 (A) (B) (C)	Requires property to be removed within 10 days and gives 10 days to file a show cause motion	Changes 10 days to 5 in all cases	Reduces time that property will be left abandoned due to administrative reasons
19-13 (D)	Adding new language	Adds new language to ban open air storage of items in residential zoning areas, except for lawn/pool/toys	Creates more restrictive allowable use to improve quality of life environment.
19-15.3	Adds new language	Adds new language to require parking lot striping for strollers	House cleaning to comply with current code 33-122.2

19-15.5	Adds new language	Requires litter stations for drive Thru's	Designed to reduce litter at these establishments (\$100)
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Code	Current Code	Proposed Change	Analysis
19-15-.5 (F)	New language	Adds language requiring screening for service areas, waste disposal areas and requires that you must comply with the site plan	Blocks these items from normal sight and requires that site plans be complied with. (\$500 fine)
19-15.12	New language	Prohibits vehicles from being parked and used for advertising purposes	Prohibits the marking up of vehicles and parking them for long periods of time to advertise purposes.

II. PRESENT SITUATION

Proposed changes to the current code. The Board approved the current code on 7/8/2003. (See attached code)

III. POLICY CHANGE AND IMPLICATION

Consistent with current Board policy(s) on improving the quality of life through code improvements for UMSA.

IV. ECONOMIC IMPACT

Staff has written that these changes represent no fiscal impact to Miami Dade County. This assumption is based on the thought that no new personnel would be added to enforce the new code changes and that the new changes will be revenue neutral.

The changes would have at least a minimum impact on the private sector who would have to comply with the new changes.

V. COMMENTS AND QUESTIONS

None.

LEGISLATIVE ANALYSIS AND ECONOMIC IMPACT STATEMENT

ORDINANCE AUTHORIZING THE MIAMI-DADE COUNTY MANAGER TO APPLY TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (USHUD) FOR A SECTION 108 LOAN PROGRAM GUARANTEE IN THE AMOUNT OF \$20.6 MILLION FOR THE PURPOSE OF PROVIDING FINANCIAL ASSISTANCE TO FACILITATE THE REMEDIATION AND REDEVELOPMENT OF THE APPROXIMATELY 56 ACRE FLORIDA EAST COAST RAILROAD SITE; AMENDING THE 2003-2007 COMMUNITY DEVELOPMENT BLOCK GRANT CONSOLIDATED PLAN, AS PREVIOUSLY AMENDED, TO REFLECT THIS SECTION 108 LOAN GUARANTEE PROGRAM APPLICATION AND PROPOSED USE OF FUNDS; MAKING THIS PROPOSED SECTION 108 LOAN GUARANTEE ASSISTANCE TO BISCAIYNE DEVELOPMENT PARTNERS, INC. SUBJECT TO THE COUNTY'S SOLE DETERMINATION REGARDING THE SUCCESSFUL IMPLEMENTATION OF THE JOINT PARTICIPATION AGREEMENT BETWEEN THE MIAMI-DADE COUNTY AND THE CITY OF MIAMI DATED SEPTEMBER 9, 1998 WHEREBY THE CITY OF MIAMI AGREED TO SUBSTITUTE ITSELF AS GUARANTOR FOR EIGHTY PERCENT (80%) OF THE \$25,000,000 USHUD SECTION 108 LOAN TO PARROT JUNGLE AND GARDENS OF WATSON ISLAND AKA PARROT JUNGLE ISLAND; AUTHORIZING THE MIAMI-DADE COUNTY MANAGER TO EXECUTE THE SECTION 108 LOAN APPLICATION AND OTHER REQUIRED DOCUMENTS; PROVIDING SEVERABILITY, AND EFFECTIVE DATE

Office of Community and Economic Development

I. SUMMARY

This ordinance authorizes the County Manager to submit a USHUD Section 108 Loan Guarantee Application in the amount of \$20.6 million for the Remediation and Redevelopment of the 56-acre Florida East Coast Railway Site. This project is expected to cost \$482.9 million in the first three years and over \$1 billion over the next seven years.

II. PRESENT SITUATION

The County entered into a Joint Participation Agreement in 1998 with the City of Miami to lend \$25 million of USHUD Section 108 dollars to Parrot Jungle and Gardens of Watson Island a/k/a Parrot Jungle Island. This Ordinance is contingent upon the City of Miami substituting itself as a guarantor for 80% of the \$25 million Parrot Jungle Loan.

III. POLICY CHANGE AND IMPLICATION

By the City of Miami guaranteeing the Parrot Jungle Loan, The County is protecting itself and its CDBG dollars in the case of a default by Parrot Jungle.

IV. ECONOMIC IMPACT

Phase I funding (First 3 years)

Section 108	\$20,600,000
Economic Development Administration	\$2,000,000
S. Florida Regional Planning Council	\$1,000,000
Transportation Funds	\$2,674,000
Community Development District Bonds	\$75,645,000
Developer Private Debt and Equity	\$521,593,000
Anchor Tenant funding	\$17,119,600
TOTAL	\$640,631,600

V. COMMENTS AND QUESTIONS

- Why did the City of Miami's Guarantee have to come so late in the process?
- Will the draw downs of funds from USHUD be handled in such a way that no shortfall will occur unlike with the Parrott Jungle Loan?

February 17, 2004

LEGISLATIVE ANALYSIS AND ECONOMIC IMPACT STATEMENT

RESOLUTION AUTHORIZING ISSUANCE OF A NOTICE TO PROFESSIONAL CONSULTANTS FOR THE SELECTION OF ONE PROGRAM MANAGEMENT CONSULTANT FOR THE IMPLEMENTATION OF THE PEOPLE'S TRANSPORTATION PLAN

Miami-Dade Transit Agency

I. SUMMARY

This resolution seeks approval for Miami-Dade Transit (MDT) to advertise for the services of **Program Management Consultant** for the on-going implementation of the Peoples' Transportation Plan (PTP).

The Management Consultant will be tasked with, but is not limited to the following functions:

- Short and long range planning
- Facilities planning
- Project programming
- Feasibility Studies
- Traffic congestion Studies
- Alternatives Analysis
- Major Investments Studies
- Design oversight (Criteria and Standards)
- Engineering and Inspection Consultants
- Safety Certification
- Value Engineering
- Project Control
- Estimating Services
- Right of Way Acquisition
- Utility relocation and technical engineering skills

The initial term of this contract is expected to be seven (7) years.

II. PRESENT SITUATION

Miami-Dade County is currently using in-house staff and various outside contracts within different departments to accommodate several of the functions listed above. For example the Board of County Commissioners (BCC) recently approved a property appraisal services contract for acquisition of land associated with the PTP.

*** Further the County's Capital Improvement Construction Coordination (CICC) office already executes many of the same functions listed above. Recently the BCC also approved the PTP Expedite Ordinance, when this item came before the Transportation

BCC ITEM 7(J)(1)(A)

February 17, 2004

Committee, the Office of Legislative Analysis inquired as to whether the CICC had the manpower and/or expertise to handle the oversight of the build-out of the PTP. The response from the CICC to the OLA was that as current projects (i.e. QNIP, DORM, etc...) cycle through, that the CICC would be able to handle construction oversight.

The closest comparable contract within Miami-Dade County is the current contract between the Miami-Dade Aviation Department (MDAD) and the Dade Aviation Consultants (DAC).

III. POLICY CHANGE AND IMPLICATION

The implication of advertising and awarding this service is that the County will not have to hire as many "in-house" employees to oversee the build-out of the PTP. The departments involved in this program also contend that hiring a firm, or consortium of firms, to handle the oversight of the estimated \$17 billion construction program will help expedite the program by giving the County the expertise without having to hire the employees.

However, this work program is a thirty (30) year constant build-out. Any employees hired by the County now for this purpose, in all actuality, would be fully utilized for many years at a County Salary, instead of a multiplier. As with DAC (who has been under contract with the County for 12 years now), it is reasonable to estimate that the County will need these services for at least the next 20-30 years.

Further, as the County establishes a negotiated multiplier, the current "Industry Standard" according to the Public Works Department (See Items 2(H),(I),(J), &(K)) is a multiplier of **2.85** for office personnel and **2.1** for field personnel. **Therefore, for every \$1 the consultant pays an employee, the county would provide \$2.85 or \$2.10 to the consultant.** Multipliers like these are common practice in the consulting industry. These multipliers are designed to compensate the consultant for reasonable fringe benefits, overhead, and profit.

This is not an RFP

Because this item is a Notice to Professional Consultants (NTPC), *not an RFP*, under County Code Sec. 2-10-4, the Board of County Commissioners (BCC) may only approve or reject the Manager's recommendation. For instance, if the second ranked proposer files a protest and is over ruled, the BCC may not recommend an award to that company

IV. ECONOMIC IMPACT

The estimated cost associated with this contract is \$84 million over seven (7) years (or \$12 million per year) with three (3) one year options to renew. **If those options are exercised, the contract could exceed \$120 million.**

Comparison to the DAC Contract

To date Miami-Dade County has paid DAC approximately \$160 million (an average of about \$16 million per year). The largest amount of compensation was paid out for FY 00/01 in the amount of \$20.4 million. This was at a smaller multiplier of 2.42 for a smaller scale project (approximately \$6 billion for the CIP as opposed to \$17 billion for the PTP build out).

*** For comparisons sake, the highest multiplier used for the first ten (10) years of the DAC contract was 2.42.***

V. COMMENTS AND QUESTIONS

According to a March 2003, memorandum (Attachment 1), from previous County Manager Steve Shiver, The total cost of consulting services to Miami-Dade County was \$257 million. Not including other contracts entered into between that time until now, this contract would increase the total by approximately 32% to \$341 million.

This item presents a double edge sword to commissioners. On the one hand, the County needs the expertise to insure the PTP is handled as expediently as possible. However, the County also runs the risk of the publicity that has at times debunked contracts such as the DAC contract, as wasteful and self serving to special interests.

Funding Source discrepancy:

When this item was first introduced to the Transportation Committee, the back-up information had conflicting information in terms of the funding source to be utilized for these services. **The original item listed the funding source as 100% FTA (Federal Transportation Administration)** and handwritten page 8 (a DBD memorandum) stated that the "...the contract is partially funded with federal dollars".

Now the item states that FTA and PTP funds will be used. MDT claims there is currently \$650,000 in FTA funds available (less than 6% of the estimated annual cost). So the balance of the estimated \$12 million annually will have to come from State and/or Local (PTP) funds. The current FDOT budget does not include substantial funding for these types of projects for FY 2004-2005.

Term of Contract

Although this request lists the term of the proposed contract as seven (7) years, it is reasonable to expect that this contract would be extended. The reason for this expectation is that the County will be reluctant to change a master project manager in the middle of any major projects. Given the time it takes to complete these types of projects, seven (7) years would put the County in the middle of the North Corridor project and in the initial phases of the East/West Corridor. It is highly unlikely that anything short of a total failure on the part of the Program Manager would result in this contract not being extended.

February 17, 2004

LEGISLATIVE ANALYSIS AND ECONOMIC IMPACT STATEMENT

RESOLUTION RECOMMENDING THAT CONFIDENTIAL PROJECT NO. 04-00066 BE APPROVED AS A QUALIFIED TARGET INDUSTRY BUSINESS PURSUANT TO FLORIDA STATUTES S-288.106, CONFIRMING THAT THE COMMITMENTS OF LOCAL FINANCIAL SUPPORT NECESSARY FOR CONFIDENTIAL PROJECT NO. 04-00066 EXIST; AND PROVIDING AN APPROPRIATION OF UP TO \$18,000 FROM GENERAL REVENUE FUNDS AS LOCAL PARTICIPATION IN THE STATE OF FLORIDA QUALIFIED TARGET INDUSTRY TAX REFUND PROGRAM FOR FISCAL YEARS 2005, 2006, 2007 AND 2008 OR OVER A TIME PERIOD AS DETERMINED BY THE STATE OF FLORIDA IN ITS APPROVAL OF THE APPLICATION OF CONFIDENTIAL PROJECT 04-00066 APPLICATION WITH THE PROVISIO THAT ANY TAX ABATEMENT GRANTED TO CONFIDENTIAL PROJECT NO. 04-00066 UNDER FLORIDA STATUTE 196.1995 REDUCES ANY QUALIFIED TARGET INDUSTRY TAX REFUND TO CONFIDENTIAL PROJECT NO. 04-00066 BY THE AMOUNT OF ANY SUCH TAX ABATEMENT GRANTED, IN COMPLIANCE WITH FLORIDA STATUTE 288.106(5)9(C); AND PROVIDING FOR AN EFFECTIVE DATE

Office of Community and Economic Development

I. SUMMARY

The Office of Community and Economic Development recommends that the BCC approve the attached Qualified Target Industry (QTI) tax refund applications and agreements

II. PRESENT SITUATION

The Qualified Target Industry (QTI) tax refund program is pursuant to Florida Statutes Section 288.106. The program's intent is to attract relocating out-of-area businesses and encourage expansion of existing local companies by providing a tax refund.

III. POLICY CHANGE AND IMPLICATION

None

BCC ITEM 7(K)(1)(A), (B), (C), and (D)**February 17, 2004****IV. ECONOMIC IMPACT**

Item	Project Name	New Jobs	New Capital Investment	QTI REFUND			Miami-Dade New Incremental Tax Revenue Generated	County QTI Match	Net Revenue Benefit to Miami-Dade (per Beacon)	Total ROII (per Beacon)
				TOTAL	STATE 80%	COUNTY 20%				
7K1A	Confidential #04-00060	97	\$2,136,000	\$388,000	\$310,400	\$77,600	\$82,022	\$77,600	\$4,422	1.06
7K1B	Confidential #04-00068	35	\$2,300,000	\$210,000	\$168,000	\$42,000	\$73,418	\$42,000	\$31,418	1.75
7K1C	Confidential #04-00079	210	\$6,230,000	\$840,000	\$672,000	\$168,000	\$217,035	\$168,000	\$49,035	1.29
7K1D	Confidential #04-00066	30	\$1,200,000	\$90,000	\$72,000	\$18,000	\$27,769	\$18,000	\$9,769	1.54

ROII – Return on Incentive Investment equals Miami-Dade New Tax Revenue Generated divided by the County's match.

The funding for the Miami-Dade County portion of the QTI shall come from the County's General Fund.

V. COMMENTS AND QUESTIONS

None

LEGISLATIVE ANALYSIS AND ECONOMIC IMPACT STATEMENT

RESOLUTION AUTHORIZING THE ESTABLISHMENT OF THE DESIGNATION HERITAGE PARK AND THE NAMING OF CERTAIN MIAMI-DADE COUNTY PARKS AS HERITAGE PARKS

I. SUMMARY

This resolution recommends establishing criteria to designate certain parks in Miami-Dade County as Heritage Parks and authorize the naming of certain parks as Heritage Parks.

II. PRESENT SITUATION

Presently, many cities and places have identified certain parks as, signature parks- parks that represent the unique history of an area. For example, the Everglades are designated as a World Heritage Site – an environment that exists nowhere else in the world. Marion County, Oregon, has established a Natural Heritage Park Program to restore ecosystems that represent each of the County's pre Euro- American natural systems. The State of Pennsylvania has established a Heritage Parks program to preserve and celebrate lands that represent the industrial and cultural heritage of the State.

III. POLICY CHANGE AND IMPLICATION

This resolution recommends naming the following parks as Heritage Parks:

- Matheson Hammock Park
- Greynolds Park
- Haulover Beach Park
- Redland Fruit and Spice Park
- Homestead Bayfront Park
- Crandon Park
- The Deering Estate at Cutler

In addition, this resolution recommends that to qualify as a Heritage Park, a park should meet at least one of the following criteria:

- Exceptional historic or archaeological countywide significance, either natural or cultural- (Ex. Greynolds Park)
- Exceptional resource values (Ex. Crandon Park)
- Exceptional design and material characteristics (Ex. Charles Deering Estate)

February 17, 2004

IV. ECONOMIC IMPACT

Designation of a park as a Heritage Park may encourage funding from various sources by showing grantors or donors the County's commitment to the future of these special parks.

V. COMMENTS AND QUESTIONS

None.